



Loudoun County, Virginia

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Department of Building and Development
Zoning Administration / MSC# 60
1 Harrison Street, S.E., P.O. Box 7000, Leesburg, VA 20177-7000
Administration: 703-777-0397 • Fax: 703-771-5215

June 17, 2009

Ms. Christine Gleckner
Walsh, Colucci, Lubeley, Emrich and Walsh
1 East Market Street, S.E., # 300
Leesburg, VA 20176

RE: Belmont Glen - Rouse Property (ZMAP 2004-0006); Election District: Dulles
LCTM: /78/////////9/; MCPI #: 195-19-3084

Dear Ms. Gleckner:

This letter is in response to your letter dated May 18, 2009, to Mark Stultz, Deputy Zoning Administrator, in which you inquired whether a potential amendment to the approved Belmont Glen rezoning (ZMAP 2004-0006) could be processed as a special exception application. You have noted that the internal open space of the development will be increased as a result of the revised plan and that open space to be dedicated to the County will not change, nor will the unit count or unit type.

The above referenced development is zoned PD-H3 (Planned Development – Housing 3) and FOD (Floodplain Overlay District), and is subject to the Concept Development Plan and Proffers approved with ZMAP 2004-0006, Belmont Glen - Rouse Property. The development is proposed to be administered as R-8 Traditional Design Option. Pursuant to Section 6-1511, *Approved Changes to Concept Development Plan After Approval*, of the Revised 1993 Zoning Ordinance, changes to an approved Concept Development Plan may be considered a minor change and approved by the Zoning Administrator, or may be made by special exception approved by the Board of Supervisors, or reviewed pursuant to the procedures established for a zoning concept plan amendment (ZMAP).

I have reviewed the proposed changes to the layout for this development (drawing received June 3, 2009) and note that the application proposes to convert the existing layout from the traditional design option (approved) to the standard option through the elimination of alleyways and some alteration to the road and lot layout. It is understood that the active recreation use will be retained, even though it is not shown on the sketch submitted June 3, 2009. Pursuant to Section 6-1511(B)(3) the proposed changes could be processed as a special exception application, since the amendment involves only the arrangement of specified land uses, structures, or land bays within the planned development. Further, any Modifications to the regulations applicable to the Concept Development Plan would also qualify as a special exception pursuant to Section 6-1511(B)(4).

Please note however, that a detailed review of the layout and conformance with the Zoning Ordinance will be done when the special exception application is submitted.

This determination applies solely to the referenced property and is not binding upon the County, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property.

Please be advised that any person aggrieved, or any officer, department or agency of Loudoun County affected by an order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the provisions of the *Zoning Ordinance* may appeal said decision within thirty days to the Board of Zoning Appeals in strict accordance with Section 15.2-2311 of the *Code of Virginia*. This decision is final and unappealable if not appealed within 30 days.

If you have any additional questions, please let me know.

Sincerely,



Val Thomas
Planner, Zoning Administrator

cc: Stevens Miller, Loudoun County Board of Supervisors, Dulles Election District
Dan Schardein, Zoning Administrator
Mark Stultz, Deputy Zoning Administrator
Property Owner: Bayshire, L.C., Elm Street Development, 1355 Beverly Road, Suite 240,
McLean VA 22101

DETERMINATION SUMMARY

DATE: June 17, 2009

DETERMINATION NUMBER: ZCOR-2009-0089

SUBJECT: Rouse/Belmont Glen ZCPA Process

1993 Ordinance Reference Numbers: Section 6-1511*

1972 Ordinance Reference Numbers: N/A

Other applicable reference numbers: ZMAP 2004-0006*
(ZMAP/ZCPA/STPL etc.)

Applicable Tax Map/Pin Number(s): LCTM: /78/////////9/; MCPI # 195-19-3084

Summary of Determination:

Pursuant to Section 6-1511(B)(3) the proposed changes could be processed as a special exception application, since the amendment involves only the arrangement of specified land uses, structures, or land bays within the planned development.

Is this a determination: Check one: Yes X No

Author: Val Thomas

* Indicates where to file

det #: desktop/ZCOR2009/ZCOR.2009-0089.vt